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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,632	08/14/2001	Ross M. Fosler	068354.1120	9044
23640	7590	04/19/2004	EXAMINER	
BAKER BOTTS, LLP			A, MINH D	
910 LOUISIANA			ART UNIT	
HOUSTON, TX 77002-4995			PAPER NUMBER	
			2821	

DATE MAILED: 04/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,632

Applicant(s)

FOSLER, ROSS M.

Examiner

Minh D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/3/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-16, 21-24 are rejected under 35 U.S.C. 102(e) as being unpatentable by Wacyk (US 2003/0020598A1).

Regarding claims 1, 10, 24, Wacyk discloses a system for controlling luminaries (10a to 10b' and 52a to 52b') from a plurality of different locations over a digital addressable lighting interface (DALI) control bus, the system comprising: a plurality of luminaries (10a to 10b' and 52a to 52b') connected to a power source and a digital addressable lighting interface (DALI) control bus; a DALI master (20) connected to the DALI control bus (22' and 62); a DALI control bus power supply connected to the DALI control bus (22' and 62); and at least one DALI sub-master (12-12') connected to the

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DALI control bus (22-22'), wherein the DALI master (20) and the at least one DALI sub-master (12-12') control different ones of said plurality of luminaries (10a to 10b' and 52a to 52b'). See figures 1-5c, col.1, lines [005] to col.7, lines [0066] to lines [0067].

Regarding claims 2, 11, Wacyk discloses the DALI master and said DALI sub-master are in different locations. See figure 1.

Regarding claims 3, 5, 12 and 14, Wacyk discloses the different locations are selected from the group consisting of room, office, conference room, lunch room, coffee bar, bathroom, laboratory, reception area, closet, storage room, hall and lobby. See col.2, lines [0012] to lines [0013].

Regarding claims 4 and 13, Wacyk discloses the ones of the plurality of luminaries (10a to 10b' and 52a to 52b') controlled by the DALI master and the ones of said plurality of luminaries controlled by said DALI sub-master are in different locations. See figures 1 and 2.

Regarding claims 6 and 15-16, Wacyk discloses a computer interface coupled to said DALI master. See col.1, lines [005] to lines [006].

Regarding claims 21-23, Wacyk discloses a detecting a transmission collision causing a corrupted command and retransmitting the corrupted command. See figure 5B.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be

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patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-20, 25-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over by Wacky (US 2003/0020598A1).

Regarding claims 17-20, Wacyk discloses the claimed invention except for a computer interface is selected from the group consisting of RS-232, RS-422 and USB. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to employ a group consisting of RS-232, RS-422 and USB, since the examiner takes Office Notice of the equivalence of connectors or cables for their use in the art and the selection of any of these known equivalents to a group consisting of RS-232, RS-422 and USB would be within the level of ordinary skill in the art.

Regarding claims 25-27, Wacyk discloses the claimed invention except for a group consisting of an incandescent light, a fluorescent light, a high pressure gas electric discharge light, a low pressure gas electric discharge light, light emitting diode light and electroluminescent light. It would have been an obvious matter of design choice to employ a group consisting of an incandescent light, a fluorescent light, a high pressure gas electric discharge light, a low pressure gas electric discharge light, light emitting diode light and electroluminescent light, since applicant has not disclosed that a group consisting of an incandescent light, a fluorescent light, a high pressure gas electric discharge light, a low pressure gas electric discharge light, light emitting diode light and electroluminescent light solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with a group

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consisting of an incandescent light, a fluorescent light, a high pressure gas electric discharge light, a low pressure gas electric discharge light, light emitting diode light and electroluminescent light.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dowling et al (US 6,548,967) and Sid. (US 6,175,201) are cited to show a addressable light system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.


Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Examiner

Minh A

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3/20/04


Ex. Thuy V. Tran
3/22/04